

Ordinance No. 4-11

ORDINANCE:

To Levy Assessments - Driveway
Aprons various locations
Proj. No. 0C11

WHEREAS, the City Manager has advised the Mayor and Council of the completion of the construction of driveway aprons in various locations in Rockville, Montgomery County, Maryland theretofore authorized by the owners of the affected properties; and

WHEREAS, said property owners executed Request and Waiver forms which provide that the cost of construction shall be assessed against the properties abutting the improvements without further public hearing;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF
ROCKVILLE, MARYLAND

1. That the work described herein, having been authorized by Request and Waivers on the dates noted, is hereby accepted and approved, said work having been completed according to the description and statement of cost listed below:

Description: Installation of concrete driveway aprons.

Statement of Cost:

| <u>Project No.</u> | <u>Location</u> | <u>Assessment</u> | <u>Assessment With Interest</u> |
|--------------------|-----------------|-------------------|---------------------------------|
| 0C11 | Various | \$11,305.74 | \$ 12,398.87 |

2. Pursuant to the provisions of Article XI of the Charter of the City of Rockville, Maryland, the expense of the work described in paragraph 1 above is hereby levied as special assessments against the benefited properties in the amounts shown on the list below. The work described above is hereby found and declared to be of special benefit to the properties shown on said list in the amounts assessed on said list. The amounts assessed on the list shown in paragraph 6 below labeled "Assessment" are due and payable, in full, by the property owners on or before, April 30, 2011.

3. Payment of the amounts assessed may be made in five (5) equal installments at the rate of interest of 3.1576% per annum as follows:

a. 1/5th thereof immediately upon the adoption of this ordinance. If such payment is not paid on or before April 30, 2011 there shall be charged additional interest and penalty charges as provided in Chapter 22, Section 22-5 of the "Rockville City Code."

b. 1/5th thereof on the first day of July 2011 and 1/5th thereof on the first day of July of each year thereafter until finally paid. Any such installment thereon that is not paid on or before the thirtieth day of September following its due date shall be subject to additional interest and penalty charges as provided in Chapter 22, Section 22-5 of the "Rockville City Code."

c. The total amount paid by any property owner electing to defer payment as set forth above is shown in the "Assessment With Interest" column in paragraph 6 hereof.

4. All assessments levied hereunder shall be collected in the same manner, as are City taxes in Rockville, Montgomery County, Maryland.

5. In the event that any one or more of the assessments levied by this ordinance are found by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of the assessments herein; and the Mayor and Council hereby declares that it would have levied the remainder of such assessments, regardless of the invalidity of such assessment.

SPECIAL ASSESSMENTS
Project No. 0C11

| <u>Lot Block</u> | <u>Subdivision</u> | <u>Location</u> | <u>Waiver Date</u> | <u>Assessment</u> | <u>Assessment With Interest</u> |
|----------------------|--|--------------------|------------------------|-------------------|-------------------------------------|
| 14-P | Sec 4 Twinbrook | 5922 Lemay Rd | 07/07/10 | 1,038.58 | \$1,138.99 |
| 6-5 | Rockcrest | 1005 Crawford Dr | 05/28/10 | 1,253.82 | \$1,375.06 |
| 263- | Northfarm | 31 Hollyberry Ct | 08/18/10 | 1,285.80 | \$1,410.12 |
| 104- | Northfarm | 2 Lily Pond Ct | 08/24/10 | 389.28 | \$426.91 |
| 5-4 | Glenora Hills | 2990 Glenora Ln | 08/09/10 | 1,881.57 | \$2,063.50 |
| 5-7 | Glenora Hills | 2989 Glenora Ln | 08/20/10 | 354.59 | \$388.88 |
| 7-W | Sec 6A Twinbrook | 12701 Atlantic Ave | 06/29/10 | 1,175.11 | \$1,288.74 |
| 24-A | Broadwood Manor | 1331 Grandin Ave | 05/02/10 | 925.87 | \$1,015.40 |
| 44-H | Rockland Sec 5 | 1103 Thornden Rd | 11/03/09 | 302.88 | \$332.16 |
| 1-J | Warrens 2 nd Add Rockcrest | 1201 Broadwood Dr | 10/26/09 | 440.01 | \$482.54 |
| 9-A | Warrens 2 nd Add Rockcrest | 1500 Broadwood Dr | 10/26/09 | 753.20 | \$826.03 |
| 10-J | Warrens 2 nd Add Rockcrest | 1219 Broadwood Dr | 10/21/09 | 1,112.84 | \$1,220.44 |
| 5-N | Rockland Dec 5 | 1218 Thornden Rd | 11/02/09 | 392.19 | \$430.10 |

| | | |
|--------------|--------------------|---------------------|
| Total | \$11,305.74 | \$ 12,398.87 |
|--------------|--------------------|---------------------|

I hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Mayor and Council of Rockville at its meeting of April 4, 2011.

A handwritten signature in cursive script, reading "Glenda P. Evans", is written over a horizontal line.

Glenda P. Evans, City Clerk